

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

In the specification

The specification is amended so that references previously made to *blade 4* and *blade 4'*, with respect to the embodiments of Figs. 5-11 described at pages 4-6, now recite *cutting element 4* and *cutting element 4'*, respectively.

This amendment is made to avoid confusion between *blade 30* and *blade 4* (and *4'*). It is respectfully submitted that the present amendment changes, in the interest of clarity, the terminology used to reference the elements *4* and *4'* in a manner consistent with the original specification and with the illustrations. It is respectfully submitted that the use of an alternate term describing the elements *4* and *4'* in a manner clearly consistent with the original specification and illustrations does not constitute new matter. Additional minor amendments correct typographical or grammatical errors. The examiner is requested to review the amended specification to verify that no new matter is added.

Claim objections

Claim 11 is presently objected to for certain informalities. In particular, the examiner notes that some words need to be deleted from the preamble. Claim 11 has been amended such that the preamble now recites "a device for dissecting an object, comprising:". In view of the amendment, withdrawal of this objection is requested.

Rejection of claims 11-14 and 16-20 under 35 U.S.C. § 112, second paragraph

Claims 11-14 and 16-20 presently stand rejected as being indefinite. In particular, the examiner states that "claim 11 requires one knife module to include a plurality of blades, but the disclosure describes the blades of the elected species as separate elements." The examiner concludes that "to claim separate blades as part of one knife renders the claims indefinite."

Applicant would like to point out that the claims refer to a “knife module” having at least one knife. Each “at least one knife” set forth in the claims refers to a “blade 30” of the specification, while the recitation of “the knife is configured with blades” refers to a knife (blade 30) having a cutting part (blade 4).

Claim 11 has been amended to more clearly correspond with the specification, by reciting now that “said incision knife module comprises at least one blade having a first end having a cutting element and a second end” wherein the at least one blade corresponds to the “blade 30” described in the specification. For clarity, claim 11 is amended to refer to a “cutting element” corresponding to the “blade 4” and “blade 4’” described in the specification.

Referring to Figs. 5, 6, and 9-11, it can clearly be seen that blade 4 and blade 4’ each are “cutting elements” of the blades 30. This is further described in the specification at pages 4 and 6. Accordingly, this amendment is fully supported in the specification, and does not constitute new matter.

In view of this amendment, withdrawal of the rejection is requested.

Rejection of claims 11-14 and 16-20 under 35 U.S.C. § 102(b)

Claims 11-14 and 16-20 presently stand rejected as being anticipated by Josoha (U.S. 5,680,705). This rejection is respectfully traversed for at least the following reasons.

Claim 11 is amended to recite that the elastic apparatus having a base and a plurality of leaf springs outwardly extended from one side of the base, each leaf spring being independently forced and deformed, and that the second end of each blade corresponds to a respective one of the leaf springs. This amendment in part incorporates limitations previously set forth in claim 19, and claim 19 is cancelled accordingly.

It is respectfully submitted that Josoha does not disclose or suggest the claimed elastic apparatus. More particularly, Josoha does not disclose or suggest an elastic apparatus having a base and a plurality of leaf springs outwardly extended from one side

of the base, wherein a second end of each blade corresponds to a respective one of the leaf springs.

According to the present invention, each of a plurality of blades is provided with an elastic bias such that the blades are independently flexible generally within or along a plane containing the blade. In other words, the blades and leaf springs are arranged such that a cutting force applied to the blades is moderated by the flexion allowed by the leaf springs.

In contrast, Josoha teaches that “a knife with three parallel blades (1), attached to a handle (3) and passing along its length.” (*Josoha*; col. 2, lines 10-12). “The blades (1) are fixed to the handle (2) with a screwing rod (2) and pass through the handle (3).” (*Josoha*; col. 2, lines 18-19).

It can be seen, with reference to Josoha's Figs. 1 and 2, that the arrangement of Josoha forecloses the possibility that the blades (1) may be flexed vertically (in a cutting direction) as in the present invention. Further, it is clear that Josoha's arrangement is intended to allow variation in the distance between blades, but not flexion in a cutting direction of the blades. (see *Josoha*; col. 2, lines 31-48).

Josoha does not disclose or suggest that a second end of each blade corresponds to a respective one of plural leaf springs.

On the contrary, Josoha's Figs. 2 and 3 show clearly two (2) springs disposed within the handle (3), arranged with one of the springs (4) between each pair of adjoining blades (one spring between the left-hand and center blades, and one spring between the center and right-hand blades).

Assuming that each spring (4) has two extending arms (seen best in Josoha's Fig 2), then even assuming, *arguendo*, that the extending arms are construed as leaf springs, each blade does not correspond to a respective one of plural leaf springs since the center blade corresponds to two of the extending arms.

A result of this arrangement of the springs (4), along with Josoha's arrangement of the blades (1) in the handle (3) is that the blades (1) are not independent from one another.

The blades (1) are entirely dependent on the movement of the handle, and it is clear that the outer blades move generally symmetrically with respect to the center blade.

Thus, a desired effect of the present invention, wherein each blade may be independently flexed because each blade corresponds to a respective one of plural leaf springs, is not achieved by Josoha. Further, as noted above, Josoha's blades are not movable in a cutting direction.

It is respectfully submitted, for at least these reasons, that Josoha does not disclose or suggest each and every element set forth in claim 11, and therefore claim 11 is not anticipated by Josoha. Accordingly, it is respectfully submitted that claims 11-14, 16-18, and 20 are allowable over the cited reference, and withdrawal of the rejection is requested.

Conclusion


In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 11-14, 16-18, and 20 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,


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